

CLEMENT SETH ROBERTS (SBN 209203)
croberts@orrick.com
BAS DE BLANK (SBN 191487)
basdeblank@orrick.com
ALYSSA CARIDIS (SBN 260103)
acaridis@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
405 Howard Street
San Francisco, CA 94105-2669
Telephone: +1 415 773 5700
Facsimile: +1 415 773 5759

SEAN M. SULLIVAN (admitted *pro hac vice*)
sullivan@ls3ip.com
COLE RICHTER (admitted *pro hac vice*)
richter@ls3ip.com
LEE SULLIVAN SHEA & SMITH LLP
656 W Randolph St., Floor 5W
Chicago, IL 60661
Telephone: +1 312 754 0002
Facsimile: +1 312 754 0003

Attorneys for Sonos, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA,
SAN FRANCISCO DIVISION

GOOGLE LLC,

Plaintiff and Counter-defendant,

v.

SONOS, INC.,

Defendant and Counter-claimant.

Case No. 3:20-cv-06754-WHA
Related to Case No. 3:21-cv-07559-WHA

**DECLARATION OF CLEMENT
ROBERTS IN SUPPORT OF SONOS,
INC.'S ADMINISTRATIVE MOTION
TO FILE UNDER SEAL RE SONOS'S
MOTION FOR SUMMARY
JUDGMENT REGARDING GOOGLE'S
CONTRACT-RELATED CLAIMS**

I, Clement Roberts, declare as follows and would so testify under oath if called upon to do so:

1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel of record to Sonos, Inc. (“Sonos”) in the above-captioned matter. I am a member in good standing of the Bar of the State of California. I make this declaration based on my personal knowledge, unless otherwise noted. If called, I can and will testify competently to the matters set forth herein.

2. I make this declaration in support of Sonos’s Administrative Motion to File Under Seal in connection with Sonos’s Motion for Summary Judgment Regarding Google’s Contract-Related Claim (“Sonos’s Motion”).

3. Sonos seeks an order sealing the materials as listed below:

DOCUMENT	PORTIONS TO BE SEALED	DESIGNATING PARTY
Sonos’s Motion	Portions highlighted in blue	Sonos
Sonos’s Motion	Portions highlighted in green	Sonos and Google
Exhibit 1 to Kwasizur Declaration	Entire Document	Sonos and Google
Exhibit 1 to Schmidt Declaration	Entire Document	Sonos
Exhibit 2 to Kolker Declaration	Entire Document	Sonos and Google
Exhibit 3 to Kolker Declaration	Entire Document	Sonos
Exhibit 4 to Kolker Declaration	Entire Document	Sonos
Exhibit 5 to Kolker Declaration	Entire Document	Sonos
Exhibit 6 to Kolker Declaration	Entire Document	Sonos
Exhibit 7 to Kolker Declaration	Entire Document	Sonos
Exhibit 8 to Kolker Declaration	Entire Document	Sonos
Exhibit 12 to Kolker Declaration	Entire Document	Sonos

4. The portions of Sonos’s Motion highlighted in blue and green, and the exhibits listed above, contain references to Sonos’s confidential business information and trade secrets,

1 including Sonos's research and development processes. The specifics of how these
2 functionalities and processes operate is confidential information that Sonos does not share
3 publicly. Thus, public disclosure of such information may lead to competitive harm as Sonos's
4 competitors could use these details regarding the architecture and functionality of these products
5 to gain a competitive advantage in the marketplace with respect to their competing products.
6 Additionally, some of the green highlighted portions include terms to confidential agreements that
7 are not public. Those same agreements are Exhibit 1 to the Kwasizur Declaration and Exhibit 2
8 to the Kolker Declaration. Disclosure of this information would harm Sonos's competitive
9 standing by giving Sonos's competitors highly sensitive information about Sonos's business
10 dealings with other entities. A less restrictive alternative than sealing the portions of the Sonos's
11 Motion and the exhibits indicated in the table above would not be sufficient because the
12 information sought to be sealed is Sonos's confidential business information and trade secrets and
13 is integral to Sonos's legal arguments.

14
15 I declare under penalty of perjury that the foregoing is true and correct to the best of my
16 knowledge. Executed this 6th day of February, 2023 in Belevedere, California.

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18 /s/ Clement S. Roberts
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